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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/630,134	08/01/2000	Samuel N. Zellner	BS00-065	5969
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ROGER T. FROST, ESQ. MERCHANT & GOULD P.C. P. O. BOX 2903 MINNEAPOLIS, MN 55402-0903			EXAMINER RAMPURIA, SHARAD K	
			ART UNIT 2688	PAPER NUMBER

DATE MAILED: 02/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/630,134	Applicant(s) ZELLNER ET AL.	
	Examiner Sharad Rampuria	Art Unit 2688	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-19,21-32,47 and 48 is/are pending in the application.
- 4a) Of the above claim(s) 3,20 and 33-46 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-19,21-32,47 and 48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2688

DETAILED ACTION

I. The current office-action is in response to the amendment filed on 12/5/05.

Accordingly, Claims 3, 20, 33-46 are cancelled, Claims 47-48 are newly added and Claims 1-2, 4-19, 21-32 and 47-48 are pending for further examination as follows:

Claim Rejections - 35 USC § 103

II. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

III. Claims 1, 4-8, 12-15, 17-19, 21-22, 26, 31-32, 47-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson [US 6868074] in view of Urban et al. [US 6233329].

Regarding claims 1, 17, Hanson disclosed a method for providing the service that delivers the geographic location of a calling party on a VOIP phone (Abstract, col.3; 31-35) comprising:

Transmitting a call from a calling party's IP network to a called party, wherein data associated with the call includes an IP identifier (Col.6; 48-52) of the calling party; (Col.6; 48-67)

Hanson doesn't disclose expressly, triggering a query from a network element associated with the called party; in response to the query, retrieving, geographic location information associated with the calling party from an address database that stores the calling party's IP identifier and geographic location information, wherein the geographic location information of the calling party is recorded by a geographic location-tracking network; Returning the geographic location information to the network element; and Terminating the call and delivering the geographic location information to the called party. However, Urban teaches in an analogous art, that triggering a query from a network element associated with the called party; (Col.3; 4-33)

In response to the query, retrieving, geographic location information associated with the calling party from an address database that stores the calling party's IP identifier and geographic location information, wherein the geographic location information of the calling party is recorded by a geographic location-tracking network; (Col.3; 34-Col.4; 7)

Returning the geographic location information to the network element; (col.4; 1-7) and

Terminating the call and delivering the geographic location information to the called party. (Col.4; 8-20) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include triggering a query from a network element associated with the

Art Unit: 2688

called party; in response to the query, retrieving, geographic location information associated with the calling party from an address database that stores the calling party's IP identifier and geographic location information, wherein the geographic location information of the calling party is recorded by a geographic location-tracking network; Returning the geographic location information to the network element; and Terminating the call and delivering the geographic location information to the called party in order to provide a method for providing the names of the city and state of a calling party to a called party.

Regarding Claim 4, Hanson disclosed The method of claim 1, wherein if the call is from a mobile device, the method further comprises the step of recording the geographic location information after the call originates and before the call is received at the network element associated with the calling party. (Col.4; 38–50)

Regarding Claim 5, Hanson disclosed The method of claim 4, the step of recording the geographic location information comprises using a geographic location system to determine a current geographic location of the mobile device. (Col.3; 36-43)

Regarding Claim 6, Hanson disclosed The method of claim 5, wherein the current geographic location is in raw form and wherein the step of recording the geographic location information further comprises translating the current geographic location into a displayable form. (112; fig.3; col.7; 64 – col.8; 6 & col.12; 29-52).

Art Unit: 2688

Regarding Claim 7, Hanson disclosed The method of claim 1, wherein the step of retrieving the geographic location information comprises searching a database for the calling party's geographic location information using the IP identifier of the calling party. (Col.8; 27-49)

Regarding Claim 8, Hanson disclosed The method of claim 1, wherein the step of retrieving the geographic location information further comprises translating the geographic location information to a displayable form. (Inherent; col.3; 62-63, col.4; 24 – 36)

Regarding Claim 12, Hanson disclosed The method of claim 1, wherein the data associated with the call includes a directory number corresponding to the IP identifier of the calling party. (Col.6; 48-67)

Regarding Claim 13, Hanson disclosed The method of claim 1, wherein the query from the network element of the calling party requests geographic location information of the calling party. (Col.6; 48-67)

Regarding Claim 14, Hanson disclosed The method of claim 12, wherein the database cross-references directory numbers with geographic location information of the directory numbers. (Col.6; 48-67)

Regarding Claim 15, Hanson disclosed The method of claim 1, wherein a network that tracks geographic locations of network devices provides the location information.(Col.6; 48-67)

Regarding claim 18, Hanson disclosed The system of claim 17, wherein the query is a query for routing instructions, the service control point is adapted to provide routing instructions, and the service control point returns routing instructions with the geographic location description to the central office which forwards the geographic location description to a display unit. (Col.6; 48-67)

Regarding Claim 19, Hanson disclosed The system of claim 18, wherein the routing instructions are in the form of a transaction capability application part response. (Inherent; Col.6; 48-67)

Regarding claim 21, Hanson disclosed The system of claim 20, wherein the network devices are mobile devices and the network continually updates the address database with new geographic location descriptions. (Col.4; 10-22)

Regarding Claim 22, Hanson disclosed The system of claim 20, wherein the network devices are stationary devices and the network records the geographic location descriptions of the stationary devices upon installation of the stationary devices. (Inherent; Col.6; 48-67)

Regarding claim 26, Hanson disclosed The system of claim 17, wherein the network includes a network-based location system that provides the geographic location descriptions. (Inherent; Col.6; 48-67)

Regarding claim 31, Hanson disclosed The system of claim 17, further comprising a name database cross-referencing calling party names with directory numbers, (Inherent; Col.6; 48-67)

Wherein the service control point is further adapted to search the name database for a name corresponding to the directory number, and to forward the name to a display unit, and wherein the display unit displays the geographic location description and the name. (Inherent; Col.6; 48-67)

Regarding claim 32, Hanson disclosed The system of claim 31, wherein the display unit is a calling name display unit. (Inherent; Col.6; 48-67)

Regarding Claim 47, Hanson disclosed the method of Claim 1, wherein the IP identifier comprises an IP address of the calling party. (Col.6; 48-67).

Regarding Claim 48, Hanson disclosed the system of Claim 17, wherein the IP identifiers comprise IP addresses associated with VOIP phones. (Col.3; 31-35).

IV. Claims 10, 24, are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson & Urban, as applied to the claims above and further in view of Alperovich et al.

Regarding Claim 10, The above combination disclosed all the particulars of the claim except the displayable form is selected from the group consisting of a street address, a landmark, and a building name. However, Alperovich teaches in an analogous art, that The method of claim 8, wherein the displayable form is selected from the group consisting of a street address, a landmark, and a building name. (Col.3; 64 – Col.4; 14) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the displayable form is selected from the group consisting of a street address, a landmark, and a building name in order to provide the information in appropriate form.

Regarding claim 24, The above combination disclosed all the particulars of the claim except the network includes a handheld device. However, Alperovich teaches in an analogous art, that The system of claim 20, wherein the network includes a handheld device geographic location system that provides the geographic location descriptions. (Col.4; 58–65) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the network includes a handheld device in order to provide moving freely in the network.

V. Claim 2, are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson & Urban, as applied to the claims above and further in view of Dzuban (US 6421441).

Regarding Claim 2, The above combination disclosed all the particulars of the claim except the geographic location information is recorded during the calling party's service activation. However, Dzuban teaches in an analogous art, that The method of claim 1, wherein if

Art Unit: 2688

the call is from a stationary device, the geographic location information is recorded during the calling party's service activation. (Col.3; 31–43) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the geographic location information is recorded during the calling party's service activation in order to provide geographic coordinates together with the subscriber data.

VI. Claims 11, 28-30, are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson & Urban, as applied to the claims above and further in view of Valentine (WO-99/27716).

Regarding Claim 11, The above combination disclosed all the particulars of the claim except the group consisting of textual displays, graphical displays, and audio messages. However, Valentine teaches in an analogous art, that The method of claim 1, wherein delivering the geographic location information uses a medium selected from the group consisting of textual displays, graphical displays, and audio messages. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the group consisting of textual displays, graphical displays, and audio messages in order to provide the information in appropriate form.

Regarding Claim 28, The above combination disclosed all the particulars of the claim except a mapping converter that translates the geographic location descriptions from raw form to displayable form. However, Valentine teaches in an analogous art, that The system of claim 20, further comprising a mapping converter that translates the geographic location descriptions from

Art Unit: 2688

raw form to displayable form. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a mapping converter that translates the geographic location descriptions from raw form to displayable form in order to provide the information in appropriate form.

Regarding Claim 29, The above combination disclosed all the particulars of the claim except the mapping converter is in communication with the service control point. However, Valentine teaches in an analogous art, that The system of claim 28, wherein the mapping converter is in communication with the service control point. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the mapping converter is in communication with the service control point in order to provide the information in appropriate form.

Regarding Claim 30, The above combination disclosed all the particulars of the claim except the group consisting of textual displays, graphical displays, and audio messages. However, Valentine teaches in an analogous art, that The system of claim 28, wherein the mapping converter is in communication with the network that tracks geographic location of network devices. (Page.8; 27-31) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the group consisting of textual displays, graphical displays, and audio messages in order to provide the information in appropriate form.

Art Unit: 2688

VII. Claims 9, 25, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson & Urban, as applied to the claims above and further in view of Dorenbosch.

Regarding Claim 9, The above combination disclosed all the particulars of the claim except the geographic location information is global positioning system coordinates. However, Dorenbosch teaches in an analogous art, that The method of claim 8, wherein the geographic location information is global positioning system coordinates. (Col.2; 48-53) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the geographic location information is global positioning system coordinates in order to provide services and information tailored to the geographic location coordinates.

Regarding Claim 25, The above combination disclosed all the particulars of the claim except the location information is global positioning system coordinates. However, Dorenbosch teaches in an analogous art, that The system of claim 24, wherein the handheld device location system is a global positioning system. (Col.2; 48-53) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the location information is global positioning system coordinates in order to provide services and information tailored to the geographic location coordinates.

Regarding Claim 27, The above combination disclosed all the particulars of the claim except the location information is Wireless Application Protocol. However, Dorenbosch teaches in an analogous art, that The system of claim 26, wherein the network-based geographic location

Art Unit: 2688

system is a Wireless Application Protocol location system. (Col.2; 48-53) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include the location information is Wireless Application Protocol in order to provide services and information tailored to the geographic location.

VIII. Claims 16, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson & Urban, as applied to the claims above and further in view of LeBlanc.

Regarding Claim 16, The above combination disclosed all the particulars of the claim except enhanced 911 services. However, LeBlanc teaches in an analogous art, that The method of claim 15, wherein the network provides enhanced 911 services. (Abstract & Col.5; 24-42) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include enhanced 911 services in order to provide routing E-911 call from the calling party.

Regarding Claim 23, The above combination disclosed all the particulars of the claim except enhanced 911 services. However, LeBlanc teaches in an analogous art, that The system of claim 20, wherein network is a wireless network that supports enhanced 911 services. (Abstract & Col.5; 24-42) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include enhanced 911 services in order to provide routing E-911 call from the calling party.

Response to Amendment

IX. Applicant's arguments with respect to claims 1-2, 4-19, 21-32 and 47-48, have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

X. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

XI. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is (571) 272-7870. The examiner can normally be reached on M-F. (8:30-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or EBC@uspto.gov.

Sharad Rampuria
Examiner
Art Unit 2688


GEORGE ENG
SUPERVISORY PATENT EXAMINER